

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1341 OF 2007

Afsar Hussain Shaikh ..Applicant

Vs.

State of Maharashtra ..Respondents

Mr.M.S.Kadu & A.M.Solkar Advocate for Applicant
Mr.K.V.Saste, A.P.P. for the State

...
CORAM: SMT.V.K.TAHILRAMANI, J.
DATE : APRIL 25, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.I-256 of 2006 of Manpada Police Station. The said case is mainly under Sections 304 and 201 of IPC.

3. It is the prosecution case that applicant assaulted Mohammed (deceased) by fist and kick blows. On account of the said assault, Mohammed died. The post mortem notes show four abrasions on the body of Mohammad. There are no fractures, however, death is on account of injury to spleen.

From the material on record, it does not appear that act was done with intention of causing death or causing such bodily injury likely to cause death. In this view of the matter, I am inclined to grant bail to the applicant.

4. The applicant to be released on bail in the sum of Rs.25,000/- (Rs.Twenty five thousand only) with one or two sureties to make up the said amount in C.R.No.I-256 of 2006 of Manpada Police Station. The applicant shall report to the concerned Police Station once in a week till the conclusion of trial.

5. Application is disposed of.

[Smt. V.K.Tahilramani, J.]